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23 February 1966

### MEMORANDUM FOR THE RECORD

SUBJECT: Contact with ~~Heine~~  
Fvri RAUS

1. On 18 February 1966 I met RAUS at 1700 hours at the Cafe Capri for a routine get-together. One important topic of conversation will be covered below for the record.

2. We discussed the current status of the HEINE/RAUS case. RAUS is sometimes better informed on a day-to-day basis than we are, since he is apparently in fairly frequent contact with the attorneys and they keep him posted on developments. The hearing before the judge on the defense motion for a summary judgment has been postponed to 11 March at the request of RASKAUSKAS. The latter is also pulling a tricky tactical move in that he will file his counter argument against the defense request for a summary judgment only two days before the scheduled 11 March hearing, thus giving [ ] and [ ] very little time for counter refutation. However this is not necessarily important, because if he should come up with any new or unexpected points of law they could file for an additional delay. According to RAUS, RASKAUSKAS told [ ] on the phone that he would appear in court with his colors flying and by no means as a defeated adversary.

3. RAUS then spoke about the possibility of taking some future action primarily in the propaganda field against HEINE after this trial is over. He has several ideas for propaganda in the Estonian emigre press designed to put pressure on HEINE and further expose his suspect past. I felt it necessary to emphasize to him in the strongest possible terms that the Agency would not back him up in any action of this kind. I emphasized that we continue to consider HEINE highly suspect as we always have, and our opinion of him, therefore, has not changed in the least. However, the current trial has been a costly experience to us as well as to him and we are by no means prepared to carry through with any activity through him which might possibly run the risk of future involvement. Obviously, it is too early to talk about any future action in any case, since we have not yet won the case, to say nothing of any possible appeals if we should win the original judgment. However, he must know now and keep very clearly in mind the fact that we cannot back him up beyond the resolution of the current case. Further than this, if he should try to get some of the emigre editors to initiate the action, he must keep clearly in mind that they may find themselves subject to attack by HEINE and

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turn to him for relief. What would he do, for example, if some editor should find himself being sued by HEINE and ask RAUS to back him up knowing that RAUS had defeated HEINE the first time around? I gave this the greatest possible emphasis in order that there might be no misunderstanding in RAUS' mind on this point, and I will return to it at an appropriate time to make sure that the warning remains crystal clear in his mind.

[ C/SR/O/AC ]

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